

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARDS OF TRUSTEES OF THE
NORTHWEST I.A.M. BENEFIT TRUST
and WESTERN METAL INDUSTRY
PENSION FUND, (hereafter referred to
as the Trust Funds),

Case No. C15-969RSM

ORDER TO SHOW CAUSE

Plaintiffs,

V.

J.M. MARTINAC SHIPBUILDING
COMPANY, a Washington corporation,

Defendant.

This matter comes before the Court *sua sponte*. This case was originally filed on June 16, 2015. Dkt. #1. There has been no responsive pleading or appearance from Defendant. The last action from Plaintiff in this case occurred on August 25, 2015. Dkt. #4. Plaintiff has not requested a stay in this matter or otherwise communicated with the Court since then.

Any case that has been pending in this Court for more than nine months without any proceeding of record may be dismissed by the Court on its own motion for lack of prosecution. LCR 41(b)(1). “The plaintiff in any such action will be given an opportunity to show cause in writing... why the case should not be dismissed.” *Id.* “A dismissal under this subparagraph

1 will operate as an adjudication on the merits, as provided for in Fed. R. Civ. P. 41(b), unless the
2 court orders otherwise.” *Id.*

3 The Court finds that Plaintiff has not taken any action in this case for more than nine
4 months and dismissal may be appropriate for failure to prosecute. In Response to this Order,
5 Plaintiff must write a short and plain statement telling the Court why this case should not be
6 dismissed given the above. **This Response may not exceed six (6) pages.**
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8 The Court hereby finds and ORDERS that Plaintiff shall file this Response to this Order
9 to Show Cause **no later than fourteen (14) days from the date of this Order.** Failure to file
10 this Response will result in dismissal of this case.
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13 DATED this 17th day of August 2017.

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17 RICARDO S. MARTINEZ
18 CHIEF UNITED STATES DISTRICT JUDGE
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